P.P. No. 1291/06
Presented by Shri A.K.Dubey
dated 9/11/06

(1)

04

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.NO. 136 /2006

Single Bench

PETITIONER — S.S. Bundela, S/o.Shri Sekria Singh Bundela, Aged about 48 years, R/o. High School Campus, Baikunthpur, District Koriya (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Rural Industries Department, (Gram Udyog Vibhag), Sericulture Sector, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)

2. The Director, Rural Industry (Sericulture Sector) Department of Sericulture, Sonakhan Bhawan, Ring Road, Raipur (C.G.)

3. The Joint Director, Rural Industry (Sericulture Sector),Department of Sericulture, Sonakhan Bhawan, Ring Road, Raipur (C.G.)

4. S.S.Kanwar, Aged about 44 years, S/o. Not known, Assistant Director, Department of Sericulture, R/o. Urdana Naka, District Raigarh (C.G.)

5. R.S.Solanki, Aged about 49 years, S/o. Not known, Assistant Director, Department of Sericulture, R/o. Kanker, District Kanker (C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 136/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13-1-2006 Shri Anand Kumar Tiwari, Adv. for the petitioner. Shri S.P. Kale, Govt. Advocate, for the State. Heard. Learned counsel for the petitioner submits that the petitioner was given seniority above the respondents no. 4 and 5 in the earlier years but in the gradation list of the year 2003, he has been shown junior to respondents no. 4 and 5. He submits that he submitted a representation as per Annexure P-7 and sent reminder as per Annexure P-8. He submitted that the representation has been rejected as per annexure P-11 and the same has been intimated as per Annexure P-12. He submitted that his representation has been rejected without assigning any reason. He relied on the decisions in the case of C. Navaneeswara Reddy –v- Government of A.P. and others (AIR 1998 SC 939). Para 6 of the judgment is relevant and quoted below:- "6. We find force in the argument of the learned counsel appearing for the contesting unofficial respondents in all these appeals and without going into the correctness or otherwise of the reasons given by the Tribunal for quashing the impugned G.O., we are satisfied from a careful reading of the impugned G.O. that the Government have not applied its mind before rejecting the objections raised by the contesting unofficial respondents. As a matter of fact, the objections, raising points both on law and on facts were dealt with by the Government in the impugned G.O. by observing as follow:- "In view of the above position, the Government see no reason to uphold the objections raised by the affected persons and hereby reject them as untenable."	

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 136/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Counsel for the petitioner further relied on a decision in the case of Ajit Singh and others –v- the State of Punjab and others (AIR 1999 SC 3471).

Learned counsel for the State submitted that the petitioner may be directed to submit a detailed representation afresh which shall be considered in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition within three weeks from today, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within three months from the date of receipt of the representation after hearing the petitioner, respondents no. 4 and 5. Notice of hearing be also issued to the respondents no. 4 and 5. The representation be decided by a reasoned order. If any grievance still remains, the petitioner and the respondents no. 4 and 5 may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

M.W.P.No. 132/ also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Pathak

20/10/06

[पीछे देखिये